



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

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TO: Director, Reference Information Center
Chief, Wireline Competition Bureau

FROM: *DMA*
Daniel M. Armstrong
Associate General Counsel

SUBJECT: *People of the State of California and the Public Utilities Commission of the State of California v. FCC & USA*, No. 05-70007. Filing of a Petition for Review in the United States Court of Appeals for the Ninth Circuit.

DATE: January 10, 2005

This is to advise you that, on January 3, 2005, the People of the State of California and the Public Utilities Commission of the State of California filed a Petition for Review in the U.S. Court of Appeals for the Ninth Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *In the Matter of Vonage Holdings Corporation Petition for Declaratory Ruling Concerning an Order of the Minnesota Public Utilities Commission*, Memorandum Opinion and Order, WC Docket No. 03-211, 19 FCC Rcd 22404 (2004).

Petitioners challenge the FCC's decision to preempt state entry regulation of Vonage Holdings Corporation's Voice-Over-Internet-Protocol service.

The Court has docketed this case as No. 05-70007. The attorney assigned to handle the litigation of this case is Nandan Joshi.